

ARTICLE II - Town Council

Section 2-1. - Powers of Council.

The governing body of the Town shall be the Town Council. The Council shall have all the legislative powers and functions and all other powers possessed by the Town and not conferred by this Charter on others.

Section 2-2. - Council Membership.

The Town Council shall consist of AN AT-LARGE MAYOR AND SIX Councilmembers, each of whom shall be elected from the district in which he or she resides.

Section 2-3. - Terms.

- (a) The Councilmembers shall be elected for four-year overlapping terms. Four Councilmembers shall be elected at one regular election and three Councilmembers shall be elected at the subsequent regular election.
- (b) The Councilmembers AND MAYOR shall take office at the first regular meeting in December following their election and compliance with Section 2-7 and shall continue in office until their successors have been elected or appointed as provided in this Charter and have complied with Section 2-7.
- (c) The Town Council shall hold an organizational meeting at the first regular meeting in December following the regular election.

(Amended by Ord. 97-36, 10-7-97 election; Ord. 2009-35, 4-6-10 election; [Ord. No. 2015-30, 8-18-2015, passed at election, 11-3-2015](#))

Section 2-4. - Qualifications.

Each Councilmember shall be, at the time of nomination and election, or at the time of appointment, a registered elector of the Town and a citizen of the United States, and shall be a resident of the Town or of territory annexed to the Town for twelve consecutive months immediately preceding such election or appointment. In addition, each Councilmember shall be, at the time of nomination and election, or at the time of appointment, and throughout the term of office, a resident of the district from which elected or appointed. No Councilmember shall be a paid employee of the Town during the Councilmember's term of office.

Section 2-5. - Mayor.

- (a) THE AT-LARGE MAYOR SHALL SERVE NO MORE THAN TWO FOUR-YEAR TERMS. AT THE ORGANIZATIONAL MEETING PROVIDED FOR IN SECTION 2-3(c), THE COUNCIL SHALL ELECT BY MAJORITY VOTE OF THE ENTIRE COUNCIL ONE OF ITS MEMBERS AS MAYOR PRO-TEM WHO WILL SERVE UNTIL THE NEXT ORGANIZATIONAL MEETING UNLESS REMOVED BY A MAJORITY VOTE OF THE ENTIRE COUNCIL.
- (b) The Mayor shall preside at meetings of the Council and shall exercise such powers and perform such other duties as are conferred upon the Mayor by this Charter or the ordinances of the Town. The Mayor shall have all of the powers and responsibilities of a Councilmember. The Mayor shall be recognized as the head of the Town government for all ceremonial and legal purposes and shall execute and authenticate legal documents requiring the signature of the Mayor.

- (c) The Mayor pro-tem shall perform the duties and have the powers of the Mayor when the Mayor is unavailable.
- (d) If the office of Mayor or Mayor pro-tem becomes vacant, the Council shall elect a successor for the unexpired term.

Section 2-6. - Vacancies.

- (a) A Councilmember OR MAYOR shall continue to hold office until a successor has been elected or appointed as provided in this Charter and has complied with Section 2-7. A vacancy in the office of Councilmember OR MAYOR exists when the Councilmember OR MAYOR is recalled, dies, is judicially declared incompetent, resigns, ceases to be a resident of the Town, ceases to be a resident of the district from which elected or appointed except as provided in Section 4-5(c), or is convicted of a felony.
- (b) Within thirty days after a vacancy occurs, the Council shall appoint a person to fill the vacancy until the next regular election. At that election a successor shall be elected for the unexpired term, if any, of the vacant position. The person appointed shall serve until the successor is elected and has complied with Section 2-7. The appointment shall be by majority vote of all remaining members of the Council. The Council shall not be required to appoint a person to fill a vacancy if the next regular election will be held within ninety days after the vacancy occurs.

Section 2-7. - Oath of Office.

Before assuming office, every Councilmember AND MAYOR shall take and file with the Town Clerk or other designated person an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Colorado, and the Charter and ordinances of the Town, and to faithfully perform the duties of the office.